

78A-2-309 Liability for fees if successful in litigation.

Nothing in this part shall prevent a justice court judge, clerk, constable, or sheriff from collecting his or her regular fees for all services rendered for the impecunious person, in the event the person is successful in litigation. All fees and costs shall be regularly taxed and included in any judgment recovered by the person. The fees and costs shall be paid to a justice court judge, clerk, constable, or sheriff. If the person fails in the action or appeal, then the costs of the action or appeal shall be adjudged against the person.

Amended by Chapter 146, 2009 General Session